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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

CARLOS GARCIA WELDON,
SANDRA JUDITH CASTANEDA
CISNEROS, EDEL FELIX CASTRO, AND
FERMIN LOZANO GONZALEZ,

Defendants.

CASE NO. 1:19-CR-00274-JLT-SKO

STIPULATION TO VACATE TRIAL DATE AND
SET CHANGE OF PLEA HEARING; FINDINGS
AND ORDER

TRIAL DATE: July 18, 2023
TIME: 10:00 a.m.
COURT: Hon. Jennifer L. Thurston

INTRODUCTION

This case is set for jury trial on July 18, 2023. The case has resolved, and the parties filed plea agreements on May 5, 2023 (ECF # 86, 87, 88 and 89). The parties now request, by stipulation, that the Court vacate the July 18, 2023, set a change of plea hearing for July 24, 2023 at 10:00 am, and exclude the time period between the date of the signing of this order through and including July 24, 2023 under the Speedy Trial Act.

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for Jury Trial on July 18, 2023.
2. The parties have reached a resolution of the case and have entered plea agreements (ECF

1 #86-89).

2 3. By this stipulation, defendants now move to vacate the trial date, set a change of plea
3 hearing for July 24, 2023 at 10:00 am, and to exclude time through and including July 24, 2023 under
4 Local Code T4.

5 4. The parties agree and stipulate, and request that the Court find the following:

6 a) The government has represented that the discovery associated with this case
7 includes numerous investigative reports, videos, and pictures. As a money laundering case, the
8 case also involves extensive and voluminous financial records. All of this discovery has been
9 either produced directly to counsel and/or made available for inspection and copying.

10 b) Counsel for defendants desires additional time to consult with his client, review
11 the charges, conduct investigation and research, review discovery and prepare for the change of
12 plea hearing.

13 c) Counsel for defendants believe that the failure to grant the above-requested
14 continuance would deny him the reasonable time necessary for effective preparation, taking into
15 account the exercise of due diligence.

16 d) The government does not object to the continuance.

17 e) Based on the above-stated findings, the ends of justice served by continuing the
18 case as requested outweigh the interest of the public and the defendant in a trial within the
19 original date prescribed by the Speedy Trial Act.

20 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
21 et seq., within which trial must commence, the time period of time from the date of this order
22 through and including to July 24, 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. §
23 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court
24 at defendant's request on the basis of the Court's finding that the ends of justice served by taking
25 such action outweigh the best interest of the public and the defendant in a speedy trial.

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5. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

Dated: May 10, 2023

PHILLIP A. TALBERT
United States Attorney

/s/ JEFFREY A. SPIVAK
JEFFREY A. SPIVAK
Assistant United States Attorney

Dated: May 10, 2023

/s/ PRECILIANO MARTINEZ
PRECILIANO MARTINEZ
Counsel for Defendant
CARLOS GARCIA WELDON

Dated: May 10, 2023

/s/ MARK COLEMAN
MARK COLEMAN
Counsel for Defendant
SANDRA JUDITH
CASTANEDA CISNEROS

Dated: May 10, 2023

/s/ ARTURO HERNANDEZ
ARTURO HERNANDEZ
Counsel for Defendant
EDEL FELIX CASTRO

Dated: May 10, 2023

/s/ CURTIS RODRIGUEZ
CURTIS RODRIGUEZ
Counsel for Defendant
FERMIN LOZANO
GONZALEZ

ORDER

IT IS SO ORDERED.

Dated: May 11, 2023


UNITED STATES DISTRICT JUDGE